

专利合作条约

PCT

国际初步审查报告
(PCT 条约 36 和细则 70)

REC'D 03 FEB 2005

WIPO PCT

申请人或代理人的档案号 PCT03099	关于后续行为 参见“传送国际初步审查报告的通知”(PCT/IPEA/416 表)	
国际申请号 PCT/CN03/00753	国际申请日(日/月/年) 05.9 月 2003 (05.09.03)	优先权日(日/月/年) 05.9 月 2002 (05.09.02)
国际专利分类(IPC)或者国家分类和 IPC 两种分类 A63C 17/02 A63C 17/00		
申请人 塞兹米克亚洲有限公司 等		

1. 本国际初步审查单位已作出国际初步审查报告并依照条约第 36 条将其传送给申请人。


2. 本报告共计 4 页, 包括扉页。

☒ 本报告还有附件, 即修改后的并且作为本报告基础的说明书修改页、权利要求书修改页和/或附图修改页, 和/或对本国际初步审查单位所作出的更正页(见 PCT 细则 70.16 和行政规程 607)。

这些附件共计 页

3. 本报告包括关于下列各项的内容:

- I ☒ 报告的基础
- II ☐ 优先权
- III ☐ 不作出关于新颖性、创造性和工业实用性的意见
- IV ☐ 缺乏发明的单一性
- V ☒ 按条约 35(2)关于新颖性、创造性或工业实用性的推断性意见; 支持这种意见的引证和解释
- VI ☐ 引用的某些文件
- VII ☐ 国际申请中的某些缺陷
- VIII ☐ 对国际申请的某些意见

提交要求书的日期 05.9 月 2003 (05.09.03)	完成本报告的日期 15.12 月 2003(15.12. 03)
国际初步审查单位名称和地址 IPEA/CN 中国北京市海淀区西土城路 6 号(100088) 传真号: 86-10-62019451	受权官员 姜 岩 电话号码: 62084688 

国际初步审查报告

国际申请号

PCT/CN03/00753

I. 报告的基础

1. 关于国际申请中各个部分: *

☒ 原始提交的国际申请。

☐ 说明书, 第 _____ 页, 原始提交的,
第 _____ 页, 要求书提交的,
第 _____ 页, _____ 的信件提交的。

☐ 权利要求, 第 _____ 项, 原始提交的,
第 _____ 项, 条约第 19 条修改的(附有说明),
第 _____ 项, 要求书提交的。
第 _____ 项, _____ 的信件提交的。

☐ 附图, 第 _____ 页, 原始提交的。
第 _____ 页, 随要求书提交的,
第 _____ 页, _____ 的信件提交的。

☐ 说明书中的序列表部分
第 _____ 页, 原始要求提交的,
第 _____ 页, 随要求书提交的,
第 _____ 页, _____ 的信件提交的。

2. 关于所使用的语言, 除本项下另有说明外, 本国际初步审查单位所获得的或者已向本国际初步审查单位提交的上述所有部分, 所使用的语言均为提交本国际申请时所使用的语言。

本国际初步审查单位所获得的或向本国际初步审查单位提交的这些部分所使用的语言是 _____, 这种语言是

☐ 为了国际检索而提交的译本所使用的语言(细则 23.1(b))。

☐ 本国际申请公布时所使用的语言(细则 48.3(b))。

☐ 为了国际初步审查而提交的译本所使用的语言(细则 55.2 和/或 55.3)。

3. 关于本国际申请中所公开的任何核武酸和/或氨基酸的序列, 本国际初步审查是根据下面的序列表进行的:

☐ 国际申请中所包含的书写形式的序列表。

☐ 与国际申请同时提交的计算机可读形式的序列表。

☐ 后来以书写形式向本国际初步审查单位提交的序列表。

☐ 后来以计算机可读的形式向本国际初步审查单位提交的序列表。

☐ 已提交了关于后来提交的书写形式的序列表没有超出原始提交的国际申请所公开的范围的说明。

☐ 已提交了关于以计算机可读的形式记载的信息是与书写形式的序列表相同的说明。

4. 修改删除了以下内容:

☐ 说明书, 第 _____ 页

☐ 权利要求, 第 _____ 项

☐ 附图, 第 _____ 页, 图 _____

5. ☒ 由于(某些)修改被认为超出了原始公开的范围, 如补充栏所示, 因此本报告是按照如同没有修改的情况作出的(细则 70.2(c)). **

* 按照条约第 14 条答复通知时向受理局提交的替换页, 在本报告中被称为“原始提交的”, 这些替换页不作为本报告的附件, 因为它们没有包含修改(细则 70.16 和 70.17)。

** 任何包含这种修改的替换页, 都必须在第 1 项中指明, 并作为本报告的附件。

V. 按条约 35 条(2)关于新颖性、创造性或工业实用性的推断性意见：支持这种意见的引证和解释

1. 意见

新颖性(N)

权利要求 1-23

是

权利要求

否

创造性(IS)

权利要求 1-23

是

权利要求

否

工业实用性(IA)

权利要求 1-23

是

权利要求

否

2. 引证和解释 (细则 70.7)

用于引证的文献：

文献 1: US6, 547, 262B1

文献 2: CN1287870A

文献 3: US4, 398, 734A

文献 4: FR2586619A

文献 1 请求保护一种滑板转向架 (truck) 装置, 其使用轴销(king bolt)把悬架(truck)6 装在安装底座(mounting board)21, 底座 21 上有孔以用螺栓连接到滑板 1 上。安装底座有一个枢轴支撑(socket hub)15 和支架(bracket)13。悬架 6 包括挂架(hanger)7 和枢轴臂(pivot arm)14, 挂架(hanger)7 通过轴销连接到板 1 上, 枢轴臂 14 可自由转动地被固定在插座中心(socket hub)。但没有提到具有支承板的第二底座部分, 也不具有连接悬架的弹簧。

文献 2 中公开了一种轮式运动板, 其中有一对转向装置 3 和 3', 该转向装置由弯头连接件 4 和毂 5 构成, 用主销 6 来连接弯头连接件和毂, 还有减震器 10, 其可采用弹簧。但是同样没提到具有支承板的第二底座部分。

文献 3 公开了一种转向架, 有基板 32, 悬架 37, 在基板 32 上有很多安装孔用于连接, T 型杆 31 的上面部分 31a 嵌在基板 32 的槽 33 中, 下面伸长部分 31b 用来穿透基板 32 和悬架 37 并将它们连接在一起。同样只有一个底座部分, 而不具有第二底座部分。

文献 4 中公开了滑板轮安装系统, 包括摆臂 13 用来支撑轮轴 10, 枢轴 18 与轴成直角, 通过螺栓 26 把板 15 连接到滑板的下表面。同样不具有第二底座部分及弹簧。

上述现有技术的滑板转向架中均未记载过固定在第一底座部分上的第二底座部分, 更没有记载第二底座部分上的一个一体的支承板。因此, 权利要求 1-23 所要求保护的产品符合 PCT 关于第 33 条 (2) 款关于新颖性的规定。

而且, 由于采用了双重底座给现有技术带来了显著进步, 因此该权利要求 1-23 所要求保护的产品符合 PCT 第 33 条 (3) 款关于创造性的规定。

显然, 权利要求 1-23 所要求保护的方法可以工业化实施, 因此符合 PCT 第 33 条 (4) 款关于实用性的规定。

VII. 国际申请中的某些缺陷

国际申请在形式上或内容上存在下列缺陷：

申请人在 2003 年 10 月 14 日提交的对申请文件的修改超出了原说明书和权利要求书记载的范围。不符合专利合作条约第 34 条 (2) (b) 的规定。因此是不能被接受的。

PATENT COOPERATION TREATY

PCT

REC'D 03 FEB 2005

INTERNATIONAL PRELIMINARY EXAMINATION REPORT PCT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PCT03099	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/CN03/00753	International filing date (day/month/year) 05.September.2003 (05.09.2003)	Priority date (day/month/year) 05.September.2002(05.09.02)
International Patent Classification (IPC) or national classification and IPC A63C 17/02 A63C 17/00		
Applicant SEISMIC ASIA LIMITED et al		
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and /or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of 2 sheets.</p>		
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty ,inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2)with regard to novelty ,inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international opplication.</p>		

Date of submission of the demand 05.September.2003(05.09.03)	Date of completion of this report 15.December.2003(15.12.03)
Name and mailing address of the IPEA/CN 6 Xitucheng Rd., Jimen Bridge, Haidian District, 100088 Beijing, China Facsimile No. 86-10-62019451	Authorized officer Jiang Yan Telephone No.62084688



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/CN03/00753

I. Basis of the report

1. With regard to the elements of the international application:

- ☒ the international application as originally filed
- ☐ the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the claims:
Nos _____, as originally file
Nos _____, as amended (together with any statement) under Article 19
Nos _____, filed with the demand
Nos _____, filed with the letter of _____
- ☐ the drawings:
sheets/fig _____, as originally filed
sheets/fig _____, filed with the demand
sheets/fig _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. with regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).
3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.
4. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims No. _____
- ☐ the drawings, sheets/fig _____

5. ☒ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/CN03/00753

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement:

Novelty (N)	Claims 1-23	YES
	Claims	NO
Inventive step (IS)	Claims 1-23	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-23	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

Document 1: US6, 547, 262B1
Document 2: CN1287870A
Document 3: US4, 398, 734A
Document 4: FR2586619A

D1 relates to a skateboard truck assembly, which provides a king bolt to join the truck to the mounting board 21. There are holes in the base board 21 for bolt. The mounting base comprises a socket hub and a bracket. The yoke comprises a hanger and a pivot arm. The arm is in the socket hub. The king bolt joints the hanger to the board 1. But the second base portion and the spring linking the yoke do not be mentioned in the document.

D2 discloses a skateboard having wheels, which has a pair of turning assembly 3 and 3'. The turning comprises elbow linker and hub and shock absorber. The shock absorber may adopt springs. But the second base portion does not be mentioned in the document.

D3 discloses a truck design for skate-type device, which involving base plate 32 and yoke 37 and T-rod. There are several holes for bolt in the base plate. The top portion of the T-rod 31a is in the groove 33. The leg extends through the base plate 32 and yoke 37 and connects the them together. The second base portion does not be mentioned in the document.

D4 discloses a wheel mounting for skateboard, which comprises a rigid rocking arm 13 carrying the wheel axle 10, and a pivot 18 at right angle to the axle and carrying a plate 15 fixed to the underside of the board by a bolt 26. The second base portion does not be mentioned in the document.

None of the prior art discloses the structure of the the second base portion which be fixed to the first base portion. None of the prior art discloses the integrative supporting board on the second base portion.

Therefore claims 1-23, are novel and inventive, and meet the requirements of Article 33(2), (3) PCT.

It is apparent that the above claims 1-23 have the industrial applicability, and meet the requirements of Article 33(4) PCT.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

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VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

The amendments (received at 14.October 2003) to the application have gone beyond the scope of the disclosure contained in the initial description and claims. They does not accord with PCT34(2)(b). So the amendments cannot be accepted.